

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 1:22-CR-135 (MSN)
)	
KEVIN HYUNGJIN LEE,)	
)	
Defendant.)	

STATEMENT OF FACTS

The parties stipulate that the allegations in the Criminal Information and the following facts are true and correct, and that had this matter gone to trial, the United States of America would have proven them beyond a reasonable doubt with competent and admissible evidence:

1. From in or about October 2018 through in or about August 2021, in the Eastern District of Virginia and elsewhere, the defendant, KEVIN HYUNGJIN LEE, intentionally devised and intended to devise a scheme and artifice to defraud.

2. During the time period relevant to his offenses, LEE was the controller for "Company A," a general contracting firm based in the Eastern District of Virginia.

3. In his role as controller, LEE oversaw the daily financial operations of Company A and had access to all of Company A's financial accounts, including Company A's primary account at Capital One. LEE also maintained sole administrator privileges for Company A's primary financial record-keeping system, QuickBooks.

4. Beginning at least in or about October 2018, LEE began plundering Company A by transmitting funds from Company A's Capital One account to his own personal accounts. These transmittals, mostly accomplished through ACH transfers, were unauthorized and served no

legitimate business purpose. LEE disguised some of these unauthorized wire transfers as payments to Company A's vendors.

5. LEE committed overt acts in furtherance of the fraud scheme in the Eastern District of Virginia and elsewhere, including but not limited to an unauthorized ACH transfer of \$9,741.02 from Company A's bank account to LEE's personal bank account on or about December 17, 2019, which resulted in an interstate wire communication being transmitted from within the Eastern District of Virginia to a server outside of Virginia in order to execute the transaction.

6. Losses to Company A as a result of LEE's acts were approximately \$7,016,129.50.

7. LEE took several steps to hide his embezzlement, including altering and falsifying entries in QuickBooks. LEE also secretly opened a line of credit in Company A's name, and transferred funds from that line of credit to Company A's main account at Capital One, in order to temporarily cover shortfalls left by his embezzlement.

8. LEE's position as controller was a position of private trust, and contributed significantly to both the facilitation and concealment of his offense.

9. The acts described above were done willfully and knowingly and with the specific intent to violate the law, and not by accident, mistake, inadvertence, or other innocent reason.

10. This Statement of Facts does not contain each and every fact known to the Defendant and to the United States concerning the Defendant's involvement in the charge set forth in the plea agreement.

Respectfully submitted,

Jessica D. Aber
United States Attorney




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Assistant United States Attorney
United States Attorney's Office
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Defendant's Stipulation and Signature

After consulting with my attorney, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

10/6/22
Date

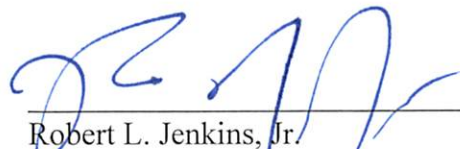


Kevin Hyungjin Lee
Defendant

Defense Counsel's Signature

I am Kevin Hyungjin Lee's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is informed and voluntary.

10.6.22
Date



Robert L. Jenkins, Jr.
Attorney for Kevin Hyungjin Lee

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B

Exhibit A - Exhibit B